ORDINANCE NO. O-26-6

ORDINANCE DEFINING AND CONTROLLING PORTA-POTTIES IN THE BOROUGH OF WEST LONG BRANCH

WHEREAS, with the proliferation of construction within the borough, especially on residential properties, there has been an increase in the placement of porta-potties on residential properties and in the areas adjacent to the same, many of which conditions are contrary to public health, safety concerns and general aesthetic considerations;

WHEREAS, the governing body has received complaints regarding the same and has determined that a formal ordinance is necessary;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of West Long Branch as follows:

SECTION 1. DEFINITIONS.

Ordinance 18-3.2 is amended to add the following:

PORTABLE RESTROOM OR PORTA-POTTIE - - shall mean a self-contained toilet facility or restroom that is not permanently connected to a municipal sewer system, and contains an internal holding tank for human waste.

SECTION 2. PERMITTING.

Ordinance 18-7.7 is amended as follows to set forth permit requirements for portable restrooms or porta-potties:

A. Permit Requirement

(1) Portable Restrooms or porta-potties are prohibited in all zones without a zoning permit.

(2) An approved zoning permit for active construction shall allow for one portable restroom during the duration of construction activity.

(3) All other uses shall require a zoning permit, submission of a plot plan or photographs showing the proposed location and required setbacks, and payment of a permit fee of fifty dollars ($50.00).

B. Duration of Permit

(1) Any zoning permit issued for the placement of the portable restroom or porta-potty for non-construction use shall specify the approved duration of placement. Such duration shall not exceed ten(10) days unless otherwise approved in writing by the Zoning Officer upon a showing of good cause.

(2) Portable Restrooms shall be removed within forty-eight (48) hours of the completion of construction activity or conclusion of an approved event.

(3) Portable restrooms shall not remain on a property when no active construction, approved event, or permitted activity is occurring.

C. Placement Restrictions

The following restrictions shall apply:

(1) Portable restrooms shall be placed a minimum of fifteen (15) feet from any side or rear property line.

(2) Portable restrooms shall be placed a minimum of twenty (20) feet from the curb line or edge of roadway.

(3) The door of the portable restroom shall face away from the street frontage.

D. Prohibited Conditions

Portable restrooms shall not:

(1) Be used as permanent sanitation facilities;

(2) Be maintained in an unsanitary condition;

(3) Leak or discharge waste, chemicals, or other materials onto the ground or adjacent property.

E. Enforcement

This section may be enforced by the Zoning Officer, Code Enforcement Officer, Police Department, or their authorized designees.

F. Municipal Exemption

The provisions of this section shall not apply to portable restrooms placed in connection with any Borough-sponsored or Borough-permitted public events, provided such units are maintained in a sanitary condition.

SECTION 3. PENALTY.

Any person who violates any provision of this ordinance shall pay a fine of two hundred fifty dollars ($250). Each day that a violation continues after notice has been provided shall constitute a separate and distinct offense.

SECTION 4. EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and publication according to law.

Introduced: February 18, 2026
Passed: March 18, 2026
Adopted: March 18, 2026

Janet W. Tucci
MAYOR

Carolin J Kelly
BOROUGH CLERK